(1)

3

IN THE HON'BLE HIGH COURT OF JUDICATURE, CHHATTISTGARH at BILASPUR.

Single Bench

WRIT PETITION NO. 1448/ 2006.

P.R. No. 1069/06 Presented by Shri B.P.Rao dated 22/2/06

Yashwant Kumar Sinha
S/o Shri. Ghasiram Sinha
Age 39 years, Employed as Operator (Roll)
Blooming Mill, Blooming & Billet Mill,
Bhilai Steel Plant, Bhilai Dt. Durg (CG)
Residing at : Qr. No. 11/F, Street- 31,
Sector - 4, **BHILAI – 490001 Dt.Durg (CG)** .... **Petitioner**

VERSUS

1. Union of India,
Through : The Secretary,
Ministry of Steel and Mines,
Government of India,
192- Udyog Bhawan,
NEW DELHI – 110011.

2. The Managing Director (SAIL),
Bhilai Steel Plant,
Ispat Bhawan, **BHILAI - 490001**
District : Durg (CG).

RIC Ghosumy 22/2/06
for THAKUR VIJAY SINGH
Asst. Solicitor General of India
CHHATTISGARH HIGH COURT
High Court Campus, Bilaspur (C.G.)

3. The General Manager,
Blooming and Billet Mill,
Bhilai Steel Plant,
BHILAI Dist : Durg (CG). .... **Respondents**

22/2/06

WRIT PETITION UNDER ARTICLE 226 / 227 OF THE CONSTITUTION OF INDIA FOR THE ISSUANCE OF APPROPRIATE ORDER AND DIRECTIONS IN THE NATURE OF MANDAMUS ETC.

HIGH COURT OF CHHATTISGARH AT BILASPUR

57

Writ Petition No. 1448 of 2006

Petitioner : Yashwant Kumar Sinha

Versus

Respondents : Union of India & others

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri**.

Shri B.P. Rao, counsel for the petitioner.

Miss Sharmila Shinghai, Standing counsel for the respondent No. 1.

Shri B.D. Guru, counsel for the respondents No. 2 and 3.

ORAL ORDER

(28th March, 2006)

1. Learned counsel for the petitioner submits that the petitioner was employed as Operator (Rolling) in L-3 Grade in Blooming Mill of the Bhilai Steel Plant. According to the petitioner, he was regularized on 29.5.1995. The petitioner was charge sheeted and enquiry was held and all the charges were found proved against the petitioner.

2. Learned counsel for the petitioner further submits that the petitioner could not submit his representation to the enquiry report within seven days, which was received by the petitioner on 31.12.2005. The representation was submitted on 10.2.2006, after a delay of about 30 days. It was not accepted by the disciplinary authority. The petitioner submitted his representation directly to the respondent No. 3 by registered post on 25.2.2006.

58

3. The petitioner has filed this petition for consideration of his representation before passing the final order on the enquiry report, to which learned counsels for the respondents have no objection.

4. The respondent No. 3 is accordingly directed to consider the representation dated 10.2.2005, in accordance with law, which was sent by the petitioner by registered post on 25.2.2006, before passing the final order on the enquiry report, in case the final order has not been passed. The petition is accordingly disposed of in the above terms. No order as to costs.

Bablu

Sd/-
Satish K. Agnihotri
Judge